

ATTORNEY'S DOCKET HIR-117
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:) Group Art Unit:
Hiroharu ARAKAWA, et al.)
Serial No. 10/509,061 ✓) Examiner: Unknown
Filed: September 24, 2004)

For: COMBINED USE OF ANTITUMOR INDOLOPYRROLOCARBAZOLE DERIVATIVE
AND OTHER ANTITUMOR AGENT

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. §1.97-1.98. Please note the following particulars:

[NOTE: One only of items a, b, c, and d must be checked.]

[X.] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. §1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

[] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. §1.113, or a notice of allowance under 37 C.F.R. §1.311.

The enclosed statement is accompanied by [check one]:

- [] i. a certification in part (e) below as specified in 37 C.F.R. §1.97(e), or
- [] ii. a check in the amount of \$ required by 37 C.F.R. §1.17(p).

[] c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. §1.113, or a notice of allowance under 37 C.F.R. §1.311, but before payment of the issue fee.

PETITION: It is requested that the information being submitted be considered. [NOTE: If box (c) is checked, the following two boxes must be checked.]

☐ PETITION FEE: A check for \$180.00 required by 37 CFR §1.17(p), is enclosed.

☐ CERTIFICATION is attended to in box (e) below.

☐ d. The enclosed statement is being filed pursuant to 37 C.F.R. §1.97(i), for placement in the file.

☐ e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

☐ I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

☐ I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

☐ Appropriate certification is attached.

☒ f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 19-1980.

Respectfully submitted,

SHERMAN AND SHALLOWAY

Attorney for Applicants

Robert L. Haines

Reg. No. 35,533

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703-549-2282

HIR-117

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Hiroharu ARAKAWA, et al.

Serial No.: 10/509,061

Group:

Filed: September 24, 2004

Examiner:

FOR: COMBINED USE OF ANTITUMOR INDOLOPYRROLOCARBAZOLE DERIVATIVE
AND OTHER ANTITUMOR AGENT

Date: October 18, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

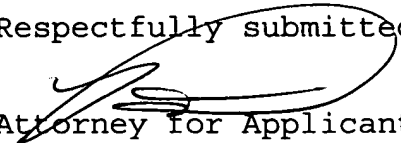
In accordance with their obligation under 37 C.F.R.
§1.56, Applicants would like to call the Examiner's attention to
the documents listed on the attached forms SB-08A and B

Applicants note that all of the documents listed are
cited in the International Search Report in the subject
application and copies of the references are being provided for
the Examiner's convenience.

Applicants are not aware at this time of any other

prior art which could be considered to be relevant to the present application.

Respectfully submitted,



Attorney for Applicants
Robert L. Haines
Reg. No. 35,533

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Alexandria, Virginia 22313
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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number	10/509,061
Filing Date	September 24, 2004
First Named Inventor	Arakawa, et al.
Art Unit	
Examiner Name	
Attorney Docket Number	HIR-117

Sheet	1	of	2
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U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ *Number ⁴ *Kind Code ⁵ (if known)				
		WO 01/87307	11-22-2001	Celgene Corp		

**Examiner
Signature**

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number 10/509,061

Filing Date September 24, 2004

First Named Inventor Arakawa, et al.

Art Unit

Examiner Name

Attorney Docket Number HIR-117

Sheet 2 of 2

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		FUKUDA, et al., Synergism between Cisplatin and Topoisomerase I Inhibitors, NB-506 and SN-38 in Human Small Cell Lung Cancer Cells, Cancer Research 56, 789-793, Feb 15, 1996	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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